

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2647

IN THE MATTER OF:

Served January 9, 1985

Application of RED TOP COACH, INC.,)
to Transfer Certificate No. 26 to)
NATIONAL COACH WORKS, INC.)

Case No. AP-84-45

By application filed December 11, 1984, Red Top Coach, Inc., a Virginia corporation ("Red Top"), seeks Commission approval to transfer by sale its Certificate of Public Convenience and Necessity No. 26 to National Coach Works, Inc., a Delaware corporation ("National").

The application includes an agreement dated December 7, 1984, whereby Red Top agrees to sell to National for \$10,000 Certificate No. 26 as it existed on August 8, 1984.

By Order No. 2645, served December 26, 1984, in Case No. AP-84-22, the Commission cancelled Part A of Certificate No. 26 containing all of the special operations authority theretofore held by Red Top, and leaving only the charter operations authority. On the same date a revised Certificate No. 26 was issued to Red Top containing only the following authority:

IRREGULAR ROUTES

CHARTER OPERATION transporting passengers and mail, express and baggage, in the same vehicle with passengers, between points in the Metropolitan District.

RESTRICTED against lectured and sightseeing service where the lecturer or guide is furnished by Red Top Coach, Inc., or any person controlling, controlled by, or under common control with Red Top Coach, Inc.

FURTHER RESTRICTED against transportation solely within the Commonwealth of Virginia.

The agreement provides the parties thereto options for rescinding the agreement in the event the agreed-upon Certificate No. 26 cannot be bought and sold. Pursuant to the Compact, Title II, Article XII, Section 12(b), the application will be scheduled for

public hearing and the parties will be directed to advise the Commission of the status of their agreement, in light of the changed situation, in writing at least ten days prior to the hearing.

According to the application, transferee National is under common control with Gold Line, Inc., which holds Certificate of Public Convenience and Necessity No. 14 issued by this Commission. Several other carriers not holding WMATC authority are also commonly controlled. These include White Transit Company, Price Bus Company, Inc., and Gulf Coast Motor Line, Inc. Transferee National is now a non-carrier but has filed an application with the Interstate Commerce Commission for charter and special operations authority between points in the United States. Transferee National also controls through stock ownership National Coach Works, Inc. of Virginia, which is seeking approval of the Virginia Corporation Commission to purchase certain intrastate Virginia authority from Red Top Coach, Inc.

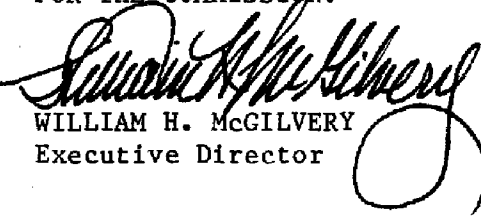
THEREFORE, IT IS ORDERED:

1. That this application is hereby scheduled for public hearing to commence Thursday, February 21, 1985, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N.W., Washington, D.C. 20006.
2. That National Coach Works, Inc., is hereby made a coapplicant and a party to this proceeding.
3. That Red Top Coach, Inc., is hereby directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application and hearing in the form prescribed by the Commission staff, no later than Monday, January 28, 1985, and to produce at the hearing an affidavit of such publication from the selected newspaper.
4. That Red Top Coach, Inc., and National Coach Works, Inc., shall jointly advise the Commission, in writing, no later than Monday, February 11, 1985, as to the status of the December 7, 1984, agreement underlying this application, and serve a copy on each party of record as of that same date.
5. That any person desiring to protest shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, February 11, 1985, and shall simultaneously serve a copy of said protest or notice on counsel for applicant, Russell R. Sage, Esq., Suite 304, 6121 Lincolnia Road, Alexandria, Va. 22312.

6. That Red Top Coach, Inc., is hereby assessed \$500 pursuant to Title II, Article XII, Section 19 of the Compact and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N.W., Washington, D.C. 20006, no later than Monday, February 11, 1985.

7. That National Coach Works, Inc., is hereby directed to file five copies of a proposed tariff and of a statement projecting revenue and revenue deductions attributable to operations under Certificate No. 26 for a 12-month period, no later than Monday, February 11, 1985, and serve a copy thereof on each party of record as of the same date.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

